

1-1 By: Hegar S.B. No. 1121
1-2 (In the Senate - Filed February 24, 2009; March 13, 2009,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 30, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 30, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1121 By: Uresti

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the retrieval and waste of game birds, game animals, and
1-11 fish; providing a penalty.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 62.011, Parks and Wildlife Code, is
1-14 amended by amending Subsections (b) and (c) and adding Subsection
1-15 (d) to read as follows:

1-16 (b) Except as provided by Subsection (c), it is an offense
1-17 if a person intentionally takes or possesses a game bird, game
1-18 animal, or ~~[a]~~ fish and intentionally, knowingly, ~~[or]~~ recklessly,
1-19 or with criminal negligence~~[r]~~ fails to keep the edible portions of
1-20 the bird, animal, or fish in an edible condition.

1-21 (c) It is an offense if a person while hunting kills or
1-22 wounds a desert bighorn sheep, pronghorn antelope, mule deer, or
1-23 white-tailed deer in violation of Section 61.022, 62.003, 62.0031,
1-24 62.004, or 62.005 and intentionally or knowingly fails to make a
1-25 reasonable effort to retrieve the animal or intentionally,
1-26 knowingly, ~~[or]~~ recklessly, or with criminal negligence fails to
1-27 keep the edible parts of the animal in an edible condition.

1-28 (d) In this section:

1-29 (1) "Edible condition" means fit for human
1-30 consumption. The term does not include any portion of a game bird,
1-31 game animal, or fish that is:

1-32 (A) bruised by bullet, shot, or arrow, or
1-33 otherwise destroyed as a result of harvest;

1-34 (B) decayed or rotting; or

1-35 (C) obviously infected or diseased.

1-36 (2) "Edible parts" means the meaty portions of a
1-37 carcass that are retained for consumption after quartering as
1-38 defined in Section 42.001(8).

1-39 SECTION 2. The change in law made by this Act applies only
1-40 to an offense committed on or after the effective date of this Act.
1-41 An offense committed before the effective date of this Act is
1-42 covered by the law in effect when the offense was committed. For
1-43 purposes of this section, an offense was committed before the
1-44 effective date of this Act if any element of the offense occurred
1-45 before that date.

1-46 SECTION 3. This Act takes effect September 1, 2009.

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